

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BOWOTO *et al.*,

No. C 99-02506 SI

Plaintiffs,

V.

CHEVRON CORPORATION *et al.*

Defendants.

**ORDER DENYING DEFENDANTS'
MOTION FOR RELIEF BASED ON
PLAINTIFF JEJE'S REOPENED
DEPOSITION**

Defendants have filed a motion for relief based on the reopened deposition of plaintiff Bassey Jeje. Defendants request that the Court reconsider its February 27, 2008 Order denying defendants' motion for sanctions against Jeje. [Docket No. 1728] Defendants must specifically show that "a material difference in fact or law exists from that which was presented to the Court" before entry of its February 27 Order. *See* Civil L.R. 7-9(b).

In support of their motion, defendants cite new evidence from Jeje's reopened deposition on October 3, 2008 regarding the location of a bullet purportedly removed from Jeje's body after the incident at issue in this case. According to defendants, Jeje testified at the October 3 deposition that the bullet was lost during tribal violence, that his wife did not know where he kept the bullet before it was lost, and that he knew by June 25, 2005 that the bullet had been lost. Defendants contend that this testimony contradicts Jeje's earlier explanations for failing to produce the bullet.

The Court finds that this evidence does not warrant reconsideration of its earlier Order. Defendants' motion is DENIED.

IT IS SO ORDERED.

Dated: 10/27/08

Susan Illston
SUSAN ILLSTON
United States District Judge